

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

<b>BETTY WEATHERS,</b>	)	
	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>CASE NO.: 2:06-cv-0666-DRB</b>
	)	
<b>ELI LILLY AND COMPANY et al.,</b>	)	
	)	
<b>Defendants.</b>	)	
	)	
	)	

**DEFENDANT ELI LILLY AND COMPANY’S  
NOTICE OF FILING SUPPLEMENTAL AUTHORITY  
IN SUPPORT OF ITS MOTION TO STAY ALL PROCEEDINGS**

COMES NOW defendant Eli Lilly and Company (“Lilly”) and, in further support of its Motion to Stay, files two Orders granting Lilly’s Motion to Stay in cases pending in this district, which were filed by Plaintiff’s counsel and are nearly identical to the present action.

Judge Myron Thompson granted Lilly’s motions to stay in *Grant v. Eli Lilly and Company et al.*, No: 2:06-cv-464-MHT (M.D. Ala. July 27, 2006) (Order attached as Exhibit “A”), and *Frizzle v. Eli Lilly and Company et al.*, No.: 2:06-cv-467-MHT (M.D. Ala. July 27, 2006) (Order attached as Exhibit “B”). The allegations against Lilly and Yolanda McCain in those cases are identical to the allegations against them in the present case. Moreover, Judge Thompson was

presented with essentially the same Motion to Remand and Opposition to Motion to Stay that Plaintiff's counsel has filed here.

Respectfully submitted,

s/ James C. Barton Jr.

James C. Barton, Jr.

Bar Number: ASB-0237-B51J

Email: jbartonjr@jbpp.com

s/ Alan D. Mathis

Alan D. Mathis

Bar Number: ASB-8922-A59M

Email: adm@jbpp.com

Attorneys for defendant

Eli Lilly and Company

**JOHNSTON BARTON PROCTOR & POWELL LLP**

2900 AmSouth/Harbert Plaza

1901 Sixth Avenue North

Birmingham, Alabama 35203

Telephone: (205) 458-9400

Facsimile: (205) 458-9500

**OF COUNSEL**

**CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed the above and foregoing with the Clerk of the Court on July 28, 2006, using the CM/ECF system, which will send notification of such filing to the following:

E. Frank Woodson, Esq.  
Beasley, Allen, Crow, Methvin,  
Portis & Miles, P.C.  
P.O. Box 4160  
Montgomery, Alabama 36104

s/ Alan D. Mathis  
Of Counsel

W0567105.DOC

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

MATTIE GRANT,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO.
	)	2:06cv464-MHT
	)	(WO)
ELI LILLY AND COMPANY, and	)	
YOLANDA MCCAIN,	)	
	)	
Defendants.	)	

ORDER

It is ORDERED that the motion for stay (doc. no. 5) is granted and this cause is stayed pending MDL transfer. See, e.g., McCray-Martin v. Eli Lilly and Company, civil action no. 2:05cv1048-T (M.D. Ala. Nov. 22, 2005) (order staying case, including remand motion, pending MDL transfer); Muhammad v. Eli Lilly and Company, civil action no. 2:05cv1046-T (M.D. Ala. Nov. 22, 2005) (same).

DONE, this the 27th day of July, 2006.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

ROBERT FRIZZLE,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO.
	)	2:06cv467-MHT
	)	(WO)
ELI LILLY and COMPANY and	)	
YOLANDA McCain, Sales	)	
Sales Representative,	)	
	)	
Defendants.	)	

ORDER

It is ORDERED that the motion for stay (doc. no. 4) is granted and this cause is stayed pending MDL transfer. See, e.g., Grant v. Eli Lilly and Company, civil action no. 2:06cv464-MHT (M.D. Ala. July 27, 2006) (order staying case, including remand motion, pending MDL transfer); McCray-Martin v. Eli Lilly and Company, civil action no. 2:05cv1048-T (M.D. Ala. Nov. 22, 2005) (same); Muhammad v.

Eli Lilly and Company, civil action no. 2:05cv1046-T (M.D. Ala. Nov. 22, 2005) (same).

DONE, this the 27th day of July, 2006.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE